

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

WP(C).No. 9945 of 2007(H)

PETITIONER:

1. ZAINUDEEN B.M.A, S/O KOLLAPADY AMOO,
HOUSE NO.13/371, KOLLAMPADY HOUSE,
VIDYANAGAR P.O., KASARGOD.

2. K.UMESH, S/O KORAGA BELEHAPADA
SANDHYA NIVAS, KUDLU, KASARGOD.

3. GANESH PRASAD, S/O NARAYANAN,
KUDLU, R.D.NAGAR P.O., KASARGOD.

BY ADV. SRI.ANANDARAJAN.N
SRI.K.P.JUSTINE

RESPONDENTS:

1. THE CHAIRMAN,
REGIONAL TRANSPORT AUTHORITY, KASARGOD.

2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, KASARGOD.

3. SRI. PRADEEP, S/O LAKSHMI,
KOLOT HOUSE, KOLATHUR P.O., KASARGOD.

4. SMT. V.LAKSHMI, D/O P.NARAYANAN NAIR,
KOLOT HOUSE, KOLATHUR P.O., KASARGOD.

BY GOVERNMENT PLEADER SMT.N.SUDHADEVI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22/03/2007 THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).No.9945 of 2007-H

Dated this the 22nd day of March, 2007

JUDGMENT

The petitioners are stage carriage operators operating on the different routes overlapping Kasargod-Perla route. The R.T.A. which is meeting today is going to consider the application submitted by the respondents 3 and 4, for regular permits on the route Perla-Kasargod-Panathur-Padykochi Road Junction-Neerchal-Madhur-Erinhipuzha-Bandakka-Balathod. Anticipating that the permits will be granted today, a timing conference to settle the time schedule of those vehicles is scheduled to be held tomorrow. Feeling aggrieved by the said prompt action of the Secretary, R.T.A., this writ petition is filed. They challenge Ext.P5 notice calling a timing conference tomorrow. According to them, it is a collusive attempt to grant permits and issue it without delay.

2. If the permits are not granted to respondents 3 and 4 as applied for by them, in the R.T.A. meeting held today, needless to say the timing conference will be cancelled. If permits are granted, the time schedule can be settled tomorrow. Unless Ext.P5 is illegal, this Court cannot interfere with the same. It is also not proper for this Court to direct the Secretary, R.T.A. not to call timing conference promptly and he should wait for decision. If the petitioners are aggrieved by the time schedule granted to respondents 3 and 4, they have a right to challenge it before the State Transport Appellate

Tribunal by filing revision. Subject to that right, this Writ Petition is dismissed.

MS

K.BALAKRISHNAN NAIR, JUDGE.